

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference PCT 05/03	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/IT 03/00458	International filing date (day/month/year) 25.07.2003	Priority date (day/month/year) 09.08.2002
International Patent Classification (IPC) or both national classification and IPC B26D3/16		
Applicant PERINI, Fabio		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 08.03.2004	Date of completion of this report 03.11.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Vaglianti, G Telephone No. +31 70 340-2935



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IT 03/00458**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*):

Description, Pages

1-9 as originally filed

Claims, Numbers

1-8 filed with telefax on 19.10.2004

Drawings, Sheets

1/11-11/11 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☒ the claims, Nos.: 9,10,11
☐ the drawings, sheets:

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5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

see separate sheet

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-8
	No: Claims	
Inventive step (IS)	Yes: Claims	1-8
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

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Re Item I

Basis of the report

1 This report has been established as if some of the amendments introduced with the FAX of the 19 October 2004 to the independent claims 1, 2, 7 and 8 had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c) PCT):

1.1 In the independent apparatus claims 1 and 2 a generic trimming device is claimed, whereas in the original filings (see description: page 6, lines 20-22) a similar arrangement is foreseen only in combination with an "apparatus according to the invention", i.e. at least comprising all the features of the originally filed claim 1.

Furthermore in claims 1 and 2 the features describing that:

a) downstream of the trimming device there is a store in which the already trimmed logs are fed, and downstream of the store there is a cutting off machine for dividing the logs supplied by the store into a plurality of rolls (in claim 1), or that

b) the trimming device is downstream of the store (in claim 2),

have been omitted (see description: page 6, lines 20-22), and the generalization created by this omission is not immediately and unambiguously derivable from any passage of the original documents.

1.2 Therefore this report has been established as if the amendments introduced with the FAX of the 19 October 2004 to claims 1 and 2, which amendments consist in the omission of the features of the originally filed claim 1 for both claims 1 and 2, of the features (a) for claim 1 and of the features (b) for claim 2 had not been made, thus considering that the trimming device claimed in claims 1 and 2 comprises at least all the features of the originally filed claim 1, plus the features (a) for claim 1 and the features (b) for claim 2.

2 Taking into account the necessary changes to the wording, corresponding considerations (see 1.1 above) are valid also for the independent method claims 7 and 8. Therefore also for these claims this report has been established as if the

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amendments introduced with the FAX of the 19 October 2004 had not been made, thus considering that the trimming step claimed in claims 7 and 8 is accomplished with a device which comprises at least all the features listed in 1.2 above.

- 3 In view of the above also some of the amendments made to the dependent claims 5 and 6 cannot be immediately and unambiguously derived from the original documents, therefore for these claims this report has been established as if the wording "said revolving unit" had not been changed in "said means for moving the logs" (claim 5), and as if the wording "it comprises means disposed and acting between said section for the entry and said means (3) for moving the logs in order to transfer the logs (2) from the section (1) to the means (3) and in that" had not been inserted in claim 6.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D4: US-A-4558617

- 1 Although claims 1, and 2 have been drafted as separate independent apparatus claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought and in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Hence, these claims do not meet the requirements of Article 6 PCT.
The same observation is valid for claims 7, and 8, which have been drafted as separate independent method claims
- 1.1 Although not clear (see point 1 above), and in view of the remarks made under Item I, paragraphs 1.1, 1.2 and 2, present independent apparatus claim 1 and present independent method claim 7 seem to comprise most of the essential features of the present invention (see description page 6, lines 20 to 31).
Therefore for the purpose of this report all claims, dependent and independent, in their corresponding category, have been considered as comprising all the essential features respectively of claim 1 and of claim 7, and therefore also as including the features mentioned under Item I.

- 2 Under this assumption document D4, which is considered to represent the most relevant state of the art, discloses an apparatus from which the subject-matter of claim 1 differs in that downstream of the trimming device there is a store in which the already trimmed logs are fed, and downstream of the store there is a cutting off machine for dividing the logs supplied by the store into a plurality of rolls.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT).

- 2.1 The problem to be solved by the present invention may therefore be regarded as giving the possibility to accommodate differences between the time necessary for trimming the log ends and the time necessary for dividing the logs into a plurality of rolls (see description, page 8, lines 17-19).

- 2.2 The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

Neither the problem nor the solution are known or rendered obvious by the available prior art.

- 3 With the necessary changes, the analysis made in the paragraphs 2-2.2 can be repeated for the independent method claim 7. Therefore also this claim complies with the requirements of PCT concerning novelty and inventive step (Article 33(2) and 33(3) PCT).

- 4 Since for the purpose of this report all claims, dependent and independent, in their corresponding category, have been considered as comprising all the essential features respectively of claim 1 and of claim 7, also claims 2-6 (apparatus) and 8 (method) comply with the requirements of PCT concerning novelty and inventive step (Article 33(2) and 33(3) PCT).

CLAIMS

1) Apparatus for trimming rolls or logs (2) of paper characterized in that it comprises:

- a section for the entry of the logs (2) to be trimmed;
- 5 - a section for the exit of the trimmed logs (2');
- a station with cutting means (6) for trimming the logs (2);
- means (3) for moving the logs (2, 2') between said entry section, said cutting station and said exit section;
- 10 - means (4), associated with said log-moving means (3), for retaining the logs when subjected to said movement.

2) Apparatus according to claim 1 characterized in that it comprises means (5), disposed and acting between said entry plane (1) and said revolving unit (3), in order to transfer the logs (2) from the plane (1) to the revolving unit (3).

- 15 3) Apparatus according to claim 1 characterized in that the said log-moving means (3) comprise a revolving unit with housing for the logs to be moved.

4) Apparatus according to claim 1 characterized in that the said log-retaining means are gripper means.

- 20 5) Apparatus according to claim 1 characterized in that the said cutting means comprise two circular blades (60).

6) Apparatus according to claim 1 characterized in that the said cutting means comprise two band blades (600).

- 7) Apparatus according to claims 3 and 4 characterized in
25 that the said gripper means are associated with said revolving unit.

8) Apparatus according to claims 1 and 2 characterized in that the said means (5) for transferring the logs (2) comprise a body (52), mounted on a shaft (51) parallel to the logs (2)
30 which come-in through the entry section thereof, and provided with a plurality of seats (50) for the logs (2) to be transferred.

9) Method for treating paper rolls or logs, comprising the steps of trimming off two reduced end portions (20) from each log (2) and of subdividing or cutting-off each log into more elements of smaller size, characterized in that the said
5 trimming step is carried out upstream of where the cutting-off step is performed.

10) Method according to claim 9 characterized in that the said trimming step is carried out by an apparatus according to one or more claims 1-8.

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REPLACED BY
ART 34 AMDT